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4 **IN THE UNITED STATES DISTRICT COURT**
5 **FOR THE DISTRICT OF NEVADA**
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* * *

7 UNITED STATES OF AMERICA,
8
9 Plaintiff,

2:08-cr-00283-RCJ-RJJ

10 vs.

ORDER FOR COMPLEX CASE
SCHEDULE PURSUANT
TO LCR 16-1(a)

11 STEVEN BOOTH, REGINALD DUNLAP,
12 JACOREY TAYLOR, and MARKETTE
13 TILLMAN,
14 Defendants.

15 1. The Indictment in this case was returned by a federal Grand Jury seated in Las Vegas,
16 Nevada, on October 28, 2008. (Docket # 1).

17 2. Defendants Steven Booth, Reginald Dunlap, Jacorey Taylor, and Markette Tillman,
18 were arraigned and entered pleas of Not Guilty on November 7, 2008. (Docket # 64, 63, 62,
19 61(respectively)).

20 3. The case has been designated as complex under 18 U.S.C. §§3161 (h)(7)(A) and
21 (B)(ii). The case presents complex and potentially novel issues of fact and law in that the Indictment
22 charges all four Defendants with: Conspiracy to Engage in a Racketeer Influenced Corrupt
23 Organization, in violation of Title 18, United States Code, Section 1962(d); Violent Crime in Aid
24 of Racketeering, in violation of Title 18, United States Code, Section 1959; Use of a Firearm during
25 a Crime of Violence, in violation of Title 18, United States Code, Sections 924(c) and (j); and,
26 Conspiracy to Engage in Drug Trafficking, in violation of Title 21, United States Code, Section 846.
27 Additionally, Defendants Taylor and Tillman are charged with Possession with Intent to Distribute
28 a Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1)(iii). (Docket
#1).

1 4. Additionally, the parties hereby agree and stipulate that Defendant Tillman must be
2 severed and tried separately to protect his rights of cross-examination under the Sixth Amendment
3 of the United States Constitution and as applied by Bruton v. United States, 391 U.S. 123, 137
4 (1968). Defendant Booth reserves his right to file a motion to sever.

5 5. To date, the government has provided initial discovery in this case that involved
6 production of evidence which falls under Fed. R. Crim. P. 16. Discovery produced to date includes
7 over 6,000 pages and numerous recordings.

8 Based on the above facts and foregoing motion, IT IS THEREFORE ORDERED:

9 1. The Trial Date(s):

10 The parties agree to a trial setting on or about February 6, 2012, with calendar call
11 to take place on or about January 20, 2012 for Defendants Booth, Dunlap, and Taylor; and,
12 anticipate that trial will proceed for at least six weeks. For Defendant Tillman, the parties agree to
13 a trial setting on or about April 23, 2012, with calendar call taking place on or about April 13, 2012;
14 and, anticipate that trial will proceed for two weeks.

15 2. The Initial Discovery Phase.

16 The government submits that it has essentially met its discovery obligations under
17 Fed.R.Crim.P. 16 (a)(1)(A) - (D), and shall continue to meet its obligation, to disclose and provide
18 the following:

- 19 a. all statements, documents, and objects, including audio and video recordings,
20 required to be disclosed under Fed.R.Crim.P 16(a)(1)(A)-(F). Relative to
21 documents and items described in Fed.R.Crim.P. 16(a)(1)(E) and (F), the
22 government shall permit defense counsel, upon request, to inspect and copy said
23 documents no later than September 1, 2011;
- 24 b. all search warrants, orders authorizing the interception of wire, oral or electronic
25 communications, and supporting affidavits, that relate to evidence that may be
26 offered at trial shall be disclosed to defendants no later than September 1, 2011;
- 27 c. all police or investigative reports that relate to the charges in the Indictment shall
28 be disclosed to defendants no later than September 1, 2011.

Counsel for defendants reserve the right to challenge the government's disclosures described in this phase, and defendants must file discovery motions no later than November 1, 2011. Responses shall be due on or by November 15, 2012. Replies shall be due on or by December 22, 2011.

3. The Discovery Motions Schedule To Resolve Any Discovery Disputes.

The parties acknowledge a duty to make good faith efforts to meet and confer with each other to resolve informally any dispute over the scope, manner and method of disclosures before seeking relief from the Court. A breach of the duty to meet and confer, by either party, may serve as a basis to grant or deny any subsequent motion for appropriate relief made before the Court. If the parties are unable to agree or resolve disputes after good faith efforts to do so, the parties propose the following discovery pretrial motions schedule:

- a. Pretrial Motions, including notices of any defenses under Rules 12.1, and 12.2 of the Federal Rules of Criminal Procedure, shall be filed on or before September 1, 2011.
- b. Responses to Pretrial Motions to be filed on or before September 15, 2011; and
- c. Replies to Pretrial Motions to be filed on or before September 22, 2011.

4. The Second Discovery Phase


- a. The parties will provide their respective notices of expert witness(es) and any all reports and tests as required by Fed.R.Crim.P. 16(a)(1)(F) and Fed.R.Crim.P. 16(b)(1)(B) on or by November 1, 2011.
- b. The parties will provide to each other expert witness summaries as described in Fed. R.Crim.P. 16(a)(1)(G) and Fed.R.Crim.P. (B)(1)(C) or on or by November 1, 2011.
- c. The government shall file its notice of enterprise evidence or evidence of similar acts on or by November 1, 2011.

The parties agree that any motions concerning expert witnesses or enterprise evidence shall be filed on or by December 1, 2011, with responses due by December 15, 2011, and replies due by December 22, 2011.

The parties propose that NO LATER THAN 10 DAYS BEFORE TRIAL:

6. Supplemental Motions.

Dated this 1st day of April,


The Honorable Robert C. Jones
United States District Court Judge